February 18, 2023

To: Members of the Senate Ways & Means Committee

From: Evan Walker, Senior Policy Analyst, Washington State Budget and Policy Center

Re: Testimony in Support of SB 5474

To Chair Rolfes and members of the Committee,

For the record, I am Evan Walker and I am a senior policy analyst at the Washington State Budget and Policy Center, a research organization working to build a just and prosperous future for all Washingtonians. I am submitting this written testimony in support of Substitute Senate Bill (SSB) 5474, which concerns juvenile justice.

The Budget and Policy Center strongly supports SSB 5474 because it is a crucial policy that advances racial, economic, and legal justice in Washington. SSB 5474 grants economic relief to youth and their families by removing the burden of paying legal financial obligations (LFOs) and eliminating LFO debt held in all cases. This bill reliably sets up a Community Compensation Program, Task Force, and Account, through state budget appropriation, to ensure that harmed parties receive their due compensation. Additionally, SSB 5474 rightly helps to seal records and assist youth in successfully moving beyond their conviction.

Even after multiple juvenile LFO reform bills in recent years, Washington continues to impose and collect on juvenile LFOs, including restitution, from youth and their families. New research shows that the statewide cost of collecting juvenile court LFOs is estimated to be $552,000 per year. In fact, for many years now, Washington state has typically spent nearly as much money as it has collected in juvenile LFOs – and in 2020 it actually spent more resources than it collected. Imposing juvenile LFOs is an ineffective use of state resources – especially when those dollars could be spent compensating harmed parties and investing in improving services and conditions for youth and their families.

In creating and funding the Community Compensation Program, Task Force, and Account, Washington is also ensuring that youth can move beyond their offense. Between fiscal years 2017 and 2020, more than $14 million of restitution was ordered and only $1.8 million was disbursed to harmed parties. That’s only 12% of the restitution actually going to people. These data show that the juvenile LFO structure is not fulfilling its intent, as youth and their families are not able to pay restitution. SSB 5474 creates a reliable structure and process to compensate victims without putting youth and families into juvenile LFO debt.

There are far-reaching costs and harms that extend beyond the $150 million of juvenile LFO debt that is currently outstanding. Ordering young people to pay LFOs has outsized costs that affect not just a young person and their family, but to all communities across Washington. When a young person is saddled with significant LFO debt, they are more likely to experience the violence of poverty. It does not allow for a young person to successfully move past their convicted offense(s), and it can increase the likelihood of recidivism, job and housing insecurity, family stress, poor health outcomes, and economic hardship.

The state’s juvenile LFO structure inhibits young people from being able to take care of themselves, their families, and communities as they get a start at adulthood. SSB 5474 starts to address the harm that juvenile LFO debt causes to youth and their communities while ensuring that young people and harmed parties get more effective support and compensation. Further, the bill aims to recognize that collective community support is needed and is more effective in caring for our youth.

I ask that you pass SSB 5474 and advance racial, economic, and legal justice to the many young people in Washington affected by the state’s unjust system of juvenile LFOs.

Thank you for your time and thoughtful consideration.
All research referenced in this testimony comes from Berkeley Law Policy Advocacy Clinic’s “Washington Juvenile LFO Data Takeaways January 2023” memo which can be submitted separately if needed and their demographic data from Administrative Office of the Courts WA and King County and ACS 5-year data: https://www.datawrapper.de/_/qnV0X/.